

May-05-04 02:43pm From: IAGO-ENVIRONMENTAL BUREAU

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EPA Region 5 Records Ctr.



216806

### Grant of Access

Property located near Elberg Park in the City of Rockford, Winnebago County, Illinois. The property for which access is being granted extends generally north to and including the creek, east to the western end of O'Connell St., west to the Pine Manor Subdivision and extending two hundred yards south of the end of Balsam Lane in the cul-de-sac.

1. The undersigned is the owner or lessee of real estate indicated above.
2. The undersigned hereby authorizes and consents to the entry upon the indicated property by officers, employees, authorized representatives, invitees or contractors of the State of Illinois, upon showing of proper identification, for such actions as are necessary or appropriate to carry out the purposes of the Comprehensive Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9601 et seq., the Illinois Environmental Protection Act, 415 ILCS 5/1 et seq. (2002), as amended, and the rules and regulations of the Illinois Pollution Control Board.
3. The undersigned consents to allow access to the above described real estate for the work as outlined in Attachment A.
4. I certify that this Grant of Access is given voluntarily and without coercion.
5. Site access shall remain in effect through December 2004.

Date: 5-4-04

Printed name of the property owner (if applicable):

Signature: Alan W. Elberg

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Company (if applicable): \_\_\_\_\_

Company Phone (if applicable): \_\_\_\_\_

## Attachment A

Activities to be performed on the property relating to the June 11, 2002 Record of Decision.

1. Surveying of the property. The surveying activity will include personnel and vehicles associated with professional surveying.
2. Soil borings that will include the collection of soil samples and soil gas samples with a truck mounted geoprobe.
3. Collection of groundwater samples from existing wells and this will include general maintenance of the wells. General maintenance of the wells could include reconstruction of heaved concrete pads, removal and replacement of protective covers and the addition or replacement of bumper posts around the wells. Vehicles and personnel may also be required on the property.
4. Installation of additional groundwater monitoring wells, with the number of wells to be determined. The installation of groundwater monitoring wells will require a drill rig.
5. Collection of surface samples soil and water that would require personnel and vehicles.
6. Sampling and possible moving of fill materials placed on the property located within Area 7 of the Southeast Rockford Groundwater Contamination Site. Fill material will be moved only if Illinois EPA, USEPA, or their contractors, at their sole discretion, determine that it is necessary to move fill materials for purposes of performing the remedial design at the site.
7. The Illinois EPA or its representative will provide Glen Ekberg at least forty-eight (48) hours notice of soil and/or water sampling events for soil and/or water samples taken from property owned by Glen Ekberg.
8. The Illinois EPA or its representative agree to split soil and/or water samples with Glen Ekberg for samples taken from property owned by Glen Ekberg for those samples with sufficient volume for splitting. Glen Ekberg must provide sample containers and bottles for the samples to be split.
9. Soil gas samples and soil samples taken from a geoprobe will not be split because there will be insufficient sample volume to split. For health and safety reasons, an Exclusion Area will be specified in the Health and Safety Plan for the work to be performed at the site, including the soil and water sampling work. For health and safety reasons, only the Illinois EPA or its representatives will be able to work within the designated Exclusion Area.
10. It is suggested, for health and safety reasons, that anyone in the area of work being performed have personal protective equipment to Level B (full face respirator) available and that would include those at the site outside of the Exclusion Area.
11. Any sample to be split will be taken by the Illinois EPA or its representatives and Glen Ekberg or his representative can view the sampling activity from outside the Exclusion Area.
12. The Illinois EPA will inform its contractors of the property owner's concerns of the possibility that a clay layer may exist.

Initials: \_\_\_\_\_